

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MERRY CHANCE INDUSTRIES, LTD.,

Plaintiff,

v

Case No. 1:06-cv-831

KOHL'S CORPORATION,
KOHL'S ILLINOIS, INC.,
KOHL'S DEPARTMENT STORES, INC.,
DLR PRODUCTS, INC.,
NATIONAL BROOM COMPANY OF
CALIFORNIA, INC. (d/b/a JLR GEAR),
and DAVID L. ROTHMAN,

Hon. Wendell A. Miles

Defendants.

JUDGMENT

This patent infringement action was filed on November 22, 2006. The defendants have appeared after service of summons, and have offered by notice in writing served on plaintiff to permit judgment against themselves for the sum of \$11,699.00, inclusive of all costs incurred to date, together with a promise to transfer the molds used to make the allegedly infringing product. The defendants' offer of judgment also includes their offer to agree to a permanent injunction enjoining them from the sale of brushes identified in the Complaint. Plaintiff has duly accepted defendants' offer by notice in writing served upon defendant within 10 days thereafter (Saturdays and Sundays excluded, pursuant to Fed.R.Civ.P. 6(a)), and the offer and notice of acceptance together with proof of service thereof have been filed with the court. Therefore, pursuant to Fed.R.Civ.P. 68,

IT IS ORDERED AND ADJUDGED that plaintiff shall recover of defendants the sum of \$11,699.00, which includes all costs incurred to date;

IT IS FURTHER ORDERED AND ADJUDGED that defendants shall transfer to plaintiff the molds utilized to make any product which plaintiff has alleged infringe its patent;

IT IS FURTHER ORDERED AND ADJUDGED that each of the defendants is permanently enjoined and restrained from selling the brushes identified in the Complaint.

Date: April 17, 2007

RONALD C. WESTON, SR.
CLERK OF COURT

/s/ Sandra Shank
(By) Deputy Clerk